

8 September 1972

[redacted]
Chief, Operations Group

Subject: TCN Status

Dear [redacted]

This letter is information only.

The Japanese representative has advised the Japan - U.S. Joint Committee (see attachment 1) that some TCNs (all of ours) will get essentially permanent status, even questionable cases like [redacted] commo supervisor. This we expected.

His memo also notes (para 4) the applicability of Japanese law to TCNs. No one questions this. We can question his statement that no "privilege" under SOFA shall be accorded to TCNs. This is onesided and vague, particularly in view of his referent documents. You have copies of the latter; see my 25 August 1969 letter to [redacted] at Hokkaido.

In referent document 1.a. Admiral Temple had asserted in 1954 that the U.S. would continue to give privileges to TCNs. Referent document 1.b., the Japanese reply, stated that the Japanese side was ready to consider giving such privileges provided that they were defined in writing.

Here the record stops. Long ago I researched this curious gap. What had happened, I learned, was that the issue had been discussed informally by both sides. The Japanese had felt that they could not formally agree to these privileges, but neither did they want to stop them. So the matter was dropped from the agenda and never reappeared. Subsequently, the privileges we gave to TCNs at Hokkaido and some given to 7th Psyops and others in Japan were never questioned. As the number of TCNs in Japan declined over the years, the issue diminished. With the addition of Okinawa's TCNs, it is coming back to life.

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The Japanese representative's statement is vague since the definition of "privileges" itself is vague. Since Okinawa Bureau gives TCNs the most privileges, we are thus the most affected. I want to insure that our interests and their background are well understood and wholeheartedly defended.

J-5's cover letter to the latest Japanese memo (attachment 2) reflects the need for such insurance. It calls "particular attention" to the no-privilege assertion. This imprecise instruction inevitably will get an extreme interpretation by the U.S. military. Before any action is taken, GOJ intentions must be explored and "privileges" must be clarified. You and I can be pessimistic about our TCNs' duty-free privileges, but we needn't toss in the towel while we're still in the locker room. Furthermore, non-duty free privileges -- housing, education and free use of base movies, hobby shops, playgrounds, etc., are worth defending with spirit and savvy.

Referent document 1.b. (graph 3), incidentally also says TCNs should be subject to taxation according to Japanese legislation. This is fine since the legislation explicitly excludes them from such payment. Our defenders should be well aware of such niceties.

I'm trying to get appointments on 14-15 September to see Col. Bill Panttaja, the J-5; Chuck Schmitz, the remaining embassy officer steeped in Reversion negotiation lore (we met him once together, remember?); Feissner, the crusty U.S. permanent civilian representative on the Joint Committee, who blows hot and cold about FBIS; and Col. Andy Roach, the J-2 who can be counted on to muster military high level backing as needed. It is time for a personal talk.

Yours truly,


Chief, Okinawa Bureau

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Attachments:

- 1 - 19 August 72 memo to the Joint Committee
- 2 - 24 August 72 cover letter TCN Revision List